

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VINCENT RODRIGUEZ, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

GREGORY CUTCHALL,
Individually, and GC PIZZA LLC,
doing business as Domino's Pizza,

Defendants.

4:20-CV-3106

ORDER

This matter is before the Court on the defendants' objection ([filing 69](#)) to the Magistrate Judge's findings and recommendation ([filing 68](#)) with respect to the plaintiff's motion for conditional class certification ([filing 47](#)). The Court finds that the Magistrate Judge's findings and recommendation are neither clearly erroneous nor contrary to law. *See* 28 U.S.C. § 636(b)(1)(A); *Ferguson v. United States*, 484 F.3d 1068, 1076 (8th Cir. 2007). Accordingly,

IT IS ORDERED:

1. The defendants' objection ([filing 69](#)) is overruled.
2. The Magistrate Judge's findings and recommendation ([filing 68](#)) are adopted.

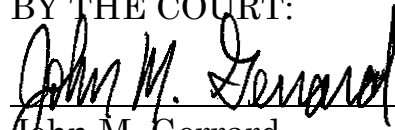
3. The plaintiff's motion for conditional class certification ([filing 47](#)) is granted, for the following opt-in class for collective action:

All current and former delivery drivers who were employed or are now employed by Gregory Cutchall or GC Pizza LLC from December 14, 2018 to the present.

4. On or before December 28, 2021, the defendants shall produce to the plaintiff the names, last known addresses, email addresses, and dates of birth of all putative class members, along with their dates of employment and the location and number of the stores where they worked.
5. The plaintiff is authorized to send the proposed Notice and Consent forms ([filing 48-1](#); [filing 48-2](#)), subject to including the name of the employer in the "To" line, to all potential opt-in plaintiffs.
6. The opt-in period for joining the conditional class shall be 90 days from the sending of the Notice and Consent forms.

Dated this 14th day of December, 2021.

BY THE COURT:



John M. Gerrard
United States District Judge